

REMARKS

The undersigned thanks the Examiner for the courtesies extended during the telephone interview of February 8, 2007. During the interview, the Examiner suggested that Applicants should file the Amendment, which would at least result in the Regipa patent being dropped. The substance of the interview is explained in the Interview Summary.

Claims 1 and 6 have been amended to clearly recite that the claimed system and method also control "descent rate" which is supported by paragraph [0055] of the specification ("slow down the descent rate.") Claims 1 and 6 recite "a processor located on the free-floating platform, a termination controller adapted to terminate a flight of the free-floating lighter than air platform" which is supported by paragraphs [0051] and [0052] of the specification. In addition, claims 1 and 6 recite "wherein the processor comprises stored, programmed or calculated criteria for command and control of the flight of the free-floating lighter than air platform" which is supported by the first three lines of paragraph [0051] of the specification. The phrase "command and control" is stated in paragraph [0050] of the specification. New claims 34 and 35 are supported by paragraph [0056] of the specification. New claims 36 and 37 are supported by Figure 1, which shows that the altitude sensor (GSP) (14) is coupled to the processor (10) and described in the line bridging pages 23 and 24 of the specification.

Claims 1-4, 6-7 and 9 are rejected as being anticipated by Regipa. This rejection is respectfully traversed.

The object of Regipa is explained in column 2, lines 3-11:

The object of the present invention is thus to overcome the drawbacks of the conventional systems and to provide an altitude-stabilizing system for a balloon. The invention, deals with a process for stabilizing an atmospheric balloon of the type comprising means to vary its specific weight, in particular jettisoning means designed to reduce the balloon mass, means for evacuating the aerostatic gas, or, in the case of a hot-air balloon, a burner fed by a fluid fuel.

The object Regipa's invention is to an altitude-stabilizing system for a balloon that can be used for stabilizing the altitude of a balloon at a given altitude, but Regipa does *not* disclose (1) a processor that comprises stored, programmed or calculated criteria for command and control of the flight of the free-floating lighter than air platform and (2) a termination controller adapted to terminate a flight of the free-floating lighter than air platform as recited in claims 1 and 6.

Even though claims 1 and 6 were not rejected over Campbell, Applicants respectfully submit that the Campbell reference also fails to disclose (1) a processor that comprises stored, programmed or calculated criteria for command and control of the flight of the free-floating lighter than air platform and (2) a termination controller adapted to terminate a flight of the free-floating lighter than air platform as recited in claims 1 and 6.

There are several novel and unique features of the inventions of claims 1 and 6. For example, an onboard processor for command and control of the flight of the free-floating lighter than air platform; a safe termination controller and a ballast that is the byproduct of a reactant for generating a gas that is vented into the free-floating lighter than air platform using the vent actuator. These unique features have several advantages. The onboard processor implements conditions for control of the flight by comparing current position, velocity, and operating conditions to stored, programmed or calculated criteria. See paragraph [0051] of the specification. The safe termination controller safely terminates the flight. See paragraph [0052] of the specification. The benefit of a ballast that is the byproduct of a reactant carried on the light than air platform is that the payload weight is decreased as compared to prior art lighter than air platforms which carry a ballast in *addition* to the fuel used for generating hot air as payloads on the platforms. See paragraph [0059] of the specification.

Claims 5 and 10 were rejected as being obvious over Regipa in view of Campbell. This rejection is respectfully traversed.

Claims 5 and 10 depend from claims 1 and 6, respectively. As explained above, both Regipa and Campbell fail to disclose (1) a processor that comprises stored, programmed or

calculated criteria for command and control of the flight of the free-floating lighter than air platform and (2) a termination controller adapted to terminate a flight of the free-floating lighter than air platform as recited in claims 1 and 6.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing Docket No. 446132000400.

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